REMARKS/ARGUMENTS

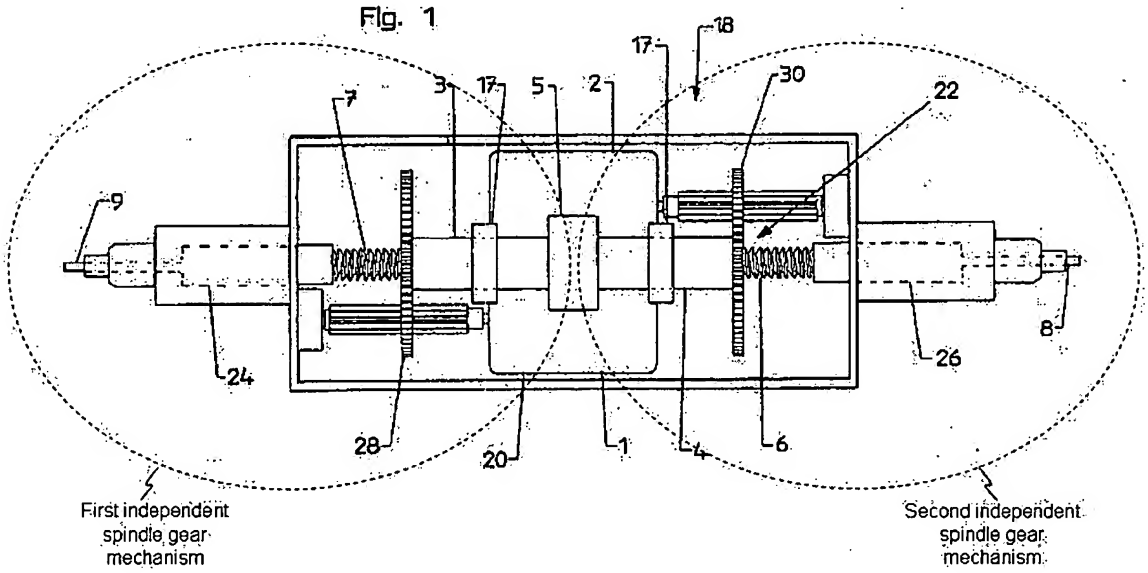
Claims 1 and 3-11 are in the case. Claims 1 and 3-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by DE 19829514 to Carmelo. Claim 11 stands objected to as lacking proper antecedent basis. The rejections are respectfully traversed.

§102(b) Rejection of the Claims

Claims 1 and 3-11 stand rejected under 35 U.S.C. 102(b) as being anticipated by DE 19829514 to Carmelo. The rejection is respectfully traversed.

Carmelo

Carmelo FIG. 1 depicts an actuation element for a parking brake, which comprises two independent spindle gears independently driven by two separate driving units (electric motors (1) and (2)).



Carmelo *et al.*, DE 19829514, FIG. 1

The first driving unit is an electric motor (1). This first driving unit drives, via a wheel gearing (28), a first actuating element (3), whereby a first spindle (7) is screwed into or out of the first actuating element (3). The operation of this first spindle (7) is not

controlled or ***driven*** in any way by the first driving unit (1) or by the second driving unit (2), as pointed out on page 2 of the Office Action.

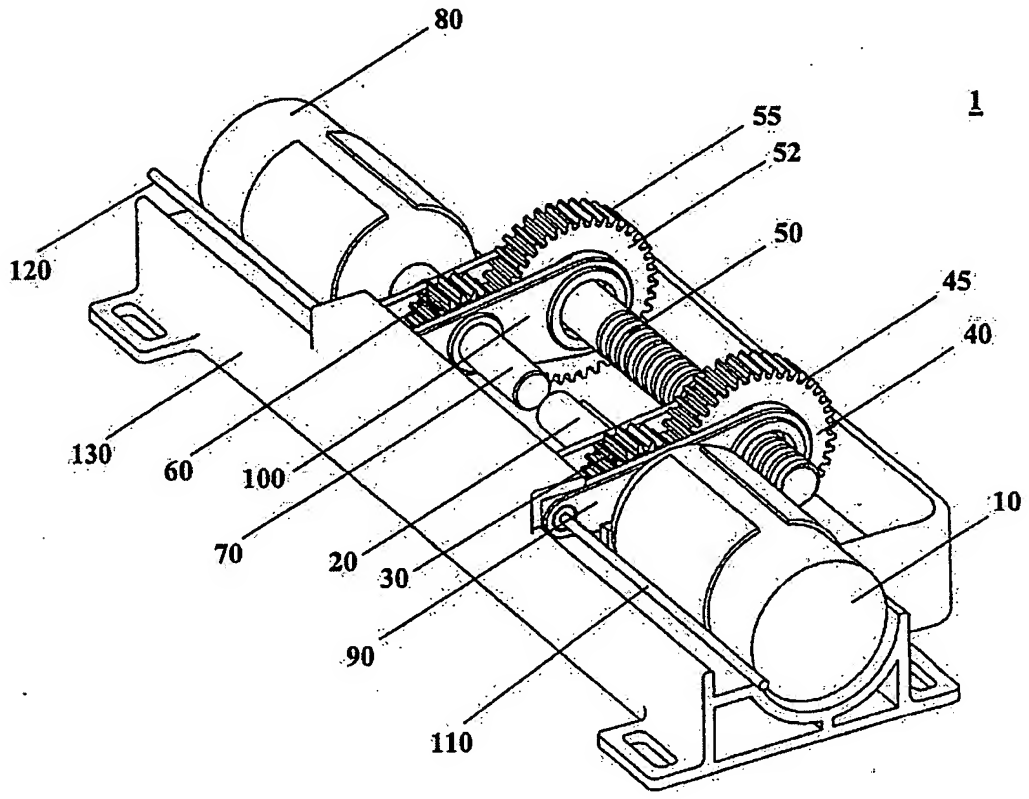
The second driving unit is an electric motor (2). This second driving unit drives, via a wheel gearing (30), a second actuating element (4), whereby a second spindle (6) is screwed into or out of the second actuating element (4). The operation of this second spindle (6) is not controlled or ***driven*** in any way by the first driving unit (1) or by the second driving unit (2), as pointed out on page 2 of the Office Action.

The first and second actuating elements are engaged with each other by means of a coupling element (5), such that they can be rotated relative to each other, but are ***axially fixed*** with respect to one another.

The mechanism of Carmelo does not provide an operating mechanism wherein the first and second actuating elements (3) and (4), which are engaged with each other, and which are able to variably move axially in relation to one another. Alternatively, Carmelo provides actuating elements that are axially fixed with respect to each other.

Present Inventive Subject Matter

Independent Claims 1 and 9, as amended, provide an actuating mechanism having two actuating elements, one comprising a ***nut*** (the first actuating element), and the other comprising a ***spindle*** (the second actuating element), each engaged with the other but controlled or ***driven*** independently from one another by means of a first and a second driving unit (*i.e.*, electric motors), respectively. This allows for the possibility of a ***reduction gear***. The functionality of the mechanism of the present inventive subject matter can be best understood by considering the figure below.



Present Inventive Subject Matter, FIG. 1.

The first driving unit is a motor (10). This first driving unit ***drives***, via a wheel gearing (30) disposed with a shaft connection (20), a first actuating element, which is a ***nut*** (40) comprised of outer gearing (45). Operation of the ***nut*** (the first actuating element), which is either screwed onto or away from the ***spindle*** (the second actuating element), is controlled or ***driven*** by means of the first driving unit (10).

The second driving unit is a motor (80). This second driving unit ***drives***, via a wheel gearing (60) disposed in communication with a shaft connection (70), a second actuating element, which is a ***spindle*** (50) attached to a driving wheel (55). Operation of the ***spindle*** (the second actuating element), which is either screwed into or out of the ***nut*** (the first actuating element), is controlled or ***driven*** by means of the second driving unit (80).

Since Carmelo fails to either teach or suggest a first actuating element comprising a nut and a second actuating element comprising a spindle, wherein the two elements are disposed in mechanical communication but independently controlled and driven, it follows that Carmelo does not anticipate the invention as claimed, does not admit to the technical advantages associated therewith, and should now be withdrawn as a grounds of rejection.

CONCLUSION

In view of the foregoing, Applicant submits that each of the outstanding grounds of rejection pending in the case has been overcome, and the application is now in condition for allowance. Reconsideration and withdrawal of the rejections, and allowance of the case at an early date, are respectfully requested.

The Office is hereby authorized to debit our deposit account no. 50-2413 for any fees that may be due in connection with the filing of the instant Response.

Respectfully submitted,
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